Appln. No.: 10/083,032
Amendment Dated November 10, 2008
Reply to Office Action of July 9, 2008

USE-674US

Remarks/Arguments:

Claims 1-21, 23-152 and 154 are pending, with claims 2-3, 6-14, 16-17, 19-21, 25-51, 53, 55-65, 67-81, 83-87, 89-113, 115-131, 133-134, 139-145, 147-148 and 150-151 withdrawn from consideration.

By this Amendment, claim 1 is amended and new claims 155 and 156 are added.

No new matter is added by the claim amendment and new claims. Support for the claim amendment and new claims can be found throughout the original specification. For example, see the original specification at page 97, lines 10-21 and page 99, line 1 to page 100, line 14.

Supplemental Information Disclosure Statement

A Supplemental Information Disclosure Statement is being filed concurrently with this Amendment.

Entry and review of the reference submitted therewith is respectfully requested.

Rejection of Claims 1, 4-5, 15, 23-24, 54, 66, 82, 88, 114, 132, 135-138, 146, 152 and 154. under 35 U.S.C. §103(a)

In the Office Action, at item 4, claims 1, 4-5, 15, 23-24, 54, 66, 82, 88, 114, 132, 135-138, 146, 152 and 154 are rejected under 35 U.S.C. §103(a) as unpatentable over McGarry et al. (European Patent Application EP 0,986,033, hereinafter referred to as McGarry) in view of Howell et al. (US Patent No. 6,462,644, hereinafter referred to as Howell) and Editor & Publishers publication (hereafter referred to as E&P).

This ground of rejection is respectfully traversed.

Claim 1 is directed to a semiconductor, and recites *inter alia*:

. . .

> the micro processing unit configurable in at least two different configurations responsive to commands received from the computing platform via the interactive interface, the at least two different configurations including a first configuration in which vending machine transaction data is automatically communicated to the computing platform responsive to an update to the vending machine transaction string and a second configuration in which the vending machine transaction data is communicated to the computing platform responsive to a request from the computing platform.

That is, the claimed micro processing unit has two configurations. The first configuration automatically communicates vending machine transaction data to the computing platform responsive to an update to the vending machine transaction string. The second configuration

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communicates the vending machine transaction data to the computing platform responsive to a request from the computing platform.

McGarry Reference

McGarry discloses that a host 34 can use a READ command to retrieve information stored in various databases and tables of the audit module 30. (See McGarry at paragraph [0029].) McGarry further discloses that a queue PUSH/PULL command is used to request data from a queue or to indicate the data is sent from a queue. If data from a queue is sent automatically, the information is pushed from the audit module 30 to the host 34. McGarry sets forth two examples when the queue is pushed to a host 34 (i.e., based on a report time or when a high priority error occurs). That is, McGarry is silent regarding the claimed first configuration (i.e., "in which vending machine transaction data is automatically communicated to the computing platform responsive to an upate to the vending machine transaction string," (emphasis added). This is because McGarry is silent regarding the use of an update to the vending machine transaction string as a condition for communicating vending machine transaction data.

Howell Reference

Howell discloses a data warehouse that builds a database of vending machine related information received from a plurality of vending machines. Howell, similar to McGarry, illustrates that a data structure having data elements can be used in the memory of a data warehouse. Howell, however, does not disclose or suggest "… a first configuration in which vending machine transaction data is automatically communicated to the computing platform responsive to an update to the vending machine transaction string …," (emphasis added), as set forth in claim 1. This is because, Howell solely contemplates the updating of information in the data warehouse 214 at predetermined times from the vendor interface unit VIU 204. (See Howell at column 7, lines 64-67).

E&P Reference

E&P does not overcome the deficiencies of McGarry in view of Howell. This is because, E&P does not disclose or suggest "a micro processing unit configurable in at least two different configurations," as set forth in claim 1. More specifically, E&P is silent regarding the claimed first configuration "in which vending machine transaction data is automatically communicated to the computing platform responsive to an update to the vending machine transaction string," as set forth in claim 1. This is because E&P does not contemplate such a configuration and merely relates to cashless news racks and the use of smart cards for cashless transactions.

Accordingly, it is submitted that claim 1 is allowable over McGarry in view of Howell in further view of E&P for at least the reasons set forth above.

Independent Claim 132

Independent claim 132, which includes similar but not identical features to those of claim 1, is also submitted to be allowable for at least similar reasons to those regarding claim 1.

Claims 4-5, 15, 23-24, 54, 66, 82, 88, 114, 135-138, 146, 152 and 154.

Claims 4-5, 15, 23-24, 54, 66, 82, 88, 114, 135-138, 146, 152 and 154, which include all of the features of claim 1 or claim 132, are submitted to be allowable over McGarry in view of Howell in further view of E&P for at least the reasons set forth regarding claim 1 or claim 132.

Rejection of Claims 18 and 149 under 35 U.S.C. §103(a)

In the Office Action, at item 5, claims 18 and 149 are rejected over McGarry in view of Howell and E&P in further view of Squires (US Patent No. 7,032,038).

This ground of rejection is respectfully traversed.

Claims 18 and 149, which include all of the features of claim 1 or 132, are submitted to be allowable over McGarry in view of Howell in further view of E&P for at least the same reasons as those regarding claim 1 or claim 132.

The addition of Squires does not overcome the deficiencies of McGarry, Howell and E&P. This is because, Squires does not disclose or suggest the first configuration feature (i.e., "in which vending machine transaction data is automatically communicated to the computing platform responsive to an update in the vending machine transaction string …," as set forth in claim 1 and similarly in claim 132.

Accordingly, it is submitted that claims 18 and 149 are allowable over McGarry in view of Howell and E&P in further view of Squires for at least the same reasons as their respective independent claims.

Rejection of Claim 52 under 35 U.S.C. §103(a)

In the Office Action, at item 6, claim 52 is rejected under 35 U.S.C. §103(a) as unpatentable over McGarry in view of Howell, E&P and Miller et al. (US Patent 5,959,869, hereinafter referred to as Miller).

This ground of rejection is respectfully traversed.

Claim 52, which includes all of the features of claim 1, is submitted to be allowable over McGarry in view of Howell in further view of E&P for at least the same reasons set forth regarding claim 1.

Appln. No.: 10/083,032
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USE-674US

The addition of Miller does not overcome the deficiencies of McGarry, Howell and E&P. This is because Miller does not disclose or suggest the first configuration feature of claim 1 (i.e., in which vending machine transaction data is automatically communicated to the computing platform responsive to an update to the vending machine transaction string...," as set forth in claim 1).

Accordingly, claim 52 is submitted to be allowable over McGarry in view of Howell and E&P in further view of Miller for at least the same reasons as set forth regarding claim 1.

News Claims 155 and 156

New Claims 155 and 156, which include all of the features of claim 1, are submitted to be allowable over the cited art for at least the same reasons as set forth regarding claim 1.

New Claim 155 includes allowable distinctions beyond those of claim 1, namely:

> said vending equipment interface is configured to receive power from and data communicate with the vending machine such that the semiconductor operates using the power received via the vending equipment interface.

New Claim 156 includes allowable distinctions beyond those of claim 1, namely:

> a first timer configured to set a message response time period for the semiconductor to wait from a time a message is received via the vending equipment interface to a time a response message is sent via the vending equipment interface; and
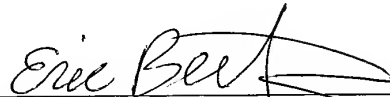>
> a second timer configured to set an inter-byte interval between data bytes of messages sent from the semiconductor via the vending machine interface;
>
> wherein the semiconductor incrementally adjusts at least one of: (1) the message response time period; or (2) the inter-byte interval.

Conclusion

In view of the above amendments and remarks, Applicant submits the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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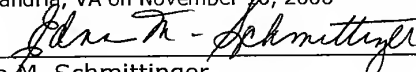
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Dated: November 10, 2008

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I hereby certify that this correspondence is being electronically transmitted to: Commissioner for Patents, Alexandria, VA on November 10, 2008

Edna M. Schmittinger

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